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By:

Andrew M. Douglas
Andrew M. Douglas, Reg. No. 51,212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/636,278
Applicant : Zadno-Azizi et al.
Filed : August 10, 2000
TC/A.U. : 3761
Examiner : Patricia M. Bianco
Docket No. : PA1101 US C 01
(PERCUS.1CP2C1)
Customer No. : 28390
Title : OCCLUSION OF A VESSEL

Confirmation No.: 7079

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) Request for Corrected Filing Receipt and copy of Filing Receipt with redlines.
- (X) Comment on Statement of Reasons for Allowance.
- (X) **COPY** of Recordation Form Cover Sheet; true and correct **COPY** of an Assignment in 5 pages.
- (X) Return prepaid postcard.

Please charge fees in the amount of \$1430 to Account No. 01-2525.

Application No. : 09/636,278

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 01-2525.

Dated: November 3, 2005



Andrew M. Douglas
Registration No. 51,212
Attorney for Applicant
Customer No. 28390
(949) 760-0404

Medtronic Vascular, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Facsimile Number: (707) 543-5420

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COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants thank the Examiner for the allowance of this application.

In the Notice of Allowance, the Examiner paraphrases the limitations of Claims 43 and 55. For example, in connection with Claim 43, the Examiner states that one of the features not found in the prior art is "a tubular member having a partially braided expandable member at the distal end." Notice of Allowance, P. 2. However, Claim 43 reads as follows:

A device for occluding a vascular segment, comprising:

a tubular member having a proximal end portion and a distal end portion and a lumen extending therethrough;

an expandable member at the distal end portion of the tubular member, the expandable member being formed at least in part from a braided structure;

an elongate member having a proximal end portion and a distal end portion, wherein the distal end portion is connected to the expandable member, and the elongate member extends longitudinally within the lumen of the tubular

member, the elongate member being longitudinally moveable between a first position wherein the expandable member is in a collapsed configuration, and a second position wherein the expandable member is in an expanded configuration, and wherein the elongate member moves proximally longitudinally with respect to the tubular member as the expandable member moves from its collapsed configuration to its expanded configuration; and

an occluding membrane encapsulating the expandable member, the occluding membrane being configured to completely occlude blood flow in the vascular segment.

Applicants disagree with the *Reasons For Allowance* to the extent that the Examiner's paraphrasing of Claim 43 could be construed as defining any additional limitations not expressly set forth therein.

Also, in connection with Claim 55, the Examiner states that some of the features not found in the prior art are "a tubular member having an expandable member ... and an elongate member having disposed longitudinally within the tubular member and the elongate member having a distal end portion connected to the expandable member...." Notice of Allowance, P. 2. However, Claim 55 reads as follows

A device for occluding a vascular segment, comprising:

a tubular member having a proximal end portion and a distal end portion and a lumen extending therethrough;

an expandable member at the distal end portion of the tubular member;

an elongate member having a proximal end portion and a distal end portion, wherein the distal end portion is connected to the expandable member, and the elongate member extends longitudinally within the lumen of the tubular member, the elongate member being longitudinally moveable relative to the tubular member between a first position wherein the expandable member is in a collapsed configuration, and a second position wherein the expandable member is in an expanded configuration, wherein the elongate member is pulled proximally from the first position to the second position with respect to the tubular member to expand the expandable member; and


a covering disposed over the expandable member configured to expand with the expandable member and further configured to interrupt fluid flow through a vascular segment when the expandable member is in the expanded configuration.

Appl. No. .: 09/636,278
Amendment Dated : November 3, 2005

Applicants disagree with the *Reasons For Allowance* to the extent that the Examiner's paraphrasing of Claim 55 could be construed as defining any additional limitations not expressly set forth therein.

Respectfully submitted,

Dated: November 3, 2005

By: 
Andrew M. Douglas
Registration No. 51,212
Attorney for Applicants
Customer No. 28390
(949) 760-0404

Medtronic Vascular, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Facsimile Number: (707) 543-5420

2043965
110305